

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902M), Southern California Edison Company (U338E), Southern California Gas Company (U904G) and Pacific Gas and Electric Company (U39M) for Authority to Establish a Wildfire Expense Balancing Account to Record for Future Recovery Wildfire-Related Costs.

Application 09-08-020
(Filed August 31, 2009)

DECISION AWARDING COMPENSATION TO CENTER FOR ACCESSIBLE TECHNOLOGY AND ITS PREDECESSOR, DISABILITY RIGHTS ADVOCATES, FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-12-029

Claimant: Center for Accessible Technology (CforAT) for itself and its predecessor, Disability Rights Advocates (DisabRA)	For contribution to Decision (D.) 12-12-029
Claimed: \$114,740.27	Awarded: \$103,940 (reduced 9%)
Assigned Commissioner: Mark J. Ferron	Assigned ALJ: Maribeth A. Bushey

PART I: PROCEDURAL ISSUES

- A. Brief Description of Decision:** Decision denying application of San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE), Southern California Gas Company (SoCalGas), and Pacific Gas and Electric Company (PG&E) to establish a Wildfire Expense Balancing Account (WEBBA) to recover wildfire-related costs.

**B. Claimant must satisfy intervenor compensation requirements set forth in
Pub. Util. Code §§ 1801-1812:**

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	September 14, 2010 ¹	Correct
2. Other Specified Date for NOI:		
3. Date NOI Filed:	DisabRA: October 14, 2010 CforAT: September 2, 2011 (see comments below)	Correct Correct
4. Were the NOIs timely filed or accepted?		Yes
CPUC Comments: On September 2, 2011, the Center for Accessible Technology filed and served its motion for party status and its notice of intent to claim intervenor compensation (NOI). CforAT stated in the motion that it seeks to act as the successor to Disability Rights Advocates, which was already a current party in the proceeding at the time of the filing of CforAT's motion. In the motion, CforAT stated that if its motion were granted, Disability Rights Advocates would cease its active participation in the proceeding. CforAT filed its NOI and included its showing of significant financial hardship. CforAT's Motion for Party Status was granted, and CforAT's NOI was accepted. In an Assigned Commissioner's Amended Scoping Memo and Ruling issued on September 29, 2011, CforAT was determined to have demonstrated significant financial hardship.		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on Administrative Law Judge (ALJ) ruling issued in proceeding number:	DisabRA-D.12-03-054 at 12 CforAT- Application (A.) 08-12-021	Correct
6. Date of ALJ ruling:	DisabRA- March 29, 2012 CforAT- March 3, 2009	Correct
7. Has the Claimant demonstrated customer or customer-related status?		Yes
Showing of "significant financial hardship" (§ 1802(g)):		
8. Based on ALJ ruling issued in proceeding number:	DisabRA- A.08-12-021 CforAT- A.09-08-020	Correct
9. Date of ALJ ruling:	DisabRA- March-30, 2009 CforAT- September 29, 2011	Correct

¹ The Prehearing Conference (PHC) was initially scheduled for August 10, 2010, but the August 6, 2010 Administrative Law Judge's Ruling Setting Procedural Schedule for Amendment to Application, extended the date.

10. Has the Claimant demonstrated significant financial hardship?	Yes
Timely request for compensation (§ 1804(c)):	
11. Identify Final Decision:	D.12-12-029
12. Date of Issuance of Final Order or Decision:	December 28, 2012
13. File date of compensation request:	February 19, 2013
14. Was the request for compensation timely?	Yes

PART II: SUBSTANTIAL CONTRIBUTION**A. Claimant's description of its claimed contribution to the final decision:**

Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
1. Throughout the proceeding, CforAT and DisabRA (generally acting in coordination with other consumer advocates, primarily TURN, CPSD and ORA ² , and often preparing joint filings with one or more of these groups) opposed the application in its entirety. Original applicants PG&E and SCE withdrew from their support for the application without prejudice. Applicants SDG&E and SoCal Gas continued to pursue the application, but the final decision did not adopt a wildfire expense balancing account.	In keeping with the recommendation made in virtually all submissions by CforAT/DisabRA throughout the proceeding, D.12-12-029 (the Final Decision) denies Applicants' request for a Wildfire Expanse Balancing Account.	Yes
- CforAT/DisabRA specifically opposed SDG&E's efforts to	- The Final Decision allows applicants to maintain their Wildfire	Yes

² The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

<p>include costs from the 2007 wildfires in any WEBA mechanism that might have been approved. Nevertheless, CforAT/DisabRA did not oppose providing an opportunity for the utility to seek recovery of unanticipated wildfire costs through some process that includes reasonableness review.</p>	<p>Expense Memorandum Accounts and to seek future reasonableness review and disposition of recorded costs for the 2007 wildfires. Final Decision at 19 (Ordering Paragraph 3). Consumer advocates did not oppose the availability of a process for Applicants to seek recovery of unanticipated wildfire costs, subject to reasonableness review. <i>See e.g.</i> Joint Reply Brief submitted by CforAT, CPSD, ORA and TURN on March 9, 2012 at 5; Notice of Ex Parte Communication of the Consumer Protection and Safety Division, The Utility Reform Network and the Center for Accessible Technology (March 2012 Ex Parte Notice), dated March 15, 2012, at 1 and the accompanying handout.</p>	
<p>2. Many of the arguments made by CforAT/DisabRA (and other consumer groups) were relied upon in the final decision as reasons to deny the application:</p> <p>- The Final Decision agrees with CforAT/DisabRA that the applicants did not carry their burden of proof in</p>	<p><i>See</i> Final Decision at 8-9 for a summary of arguments made by consumer advocates.</p> <p>Final Decision at 18 (Conclusions Of Law 1): “Remaining applicants have not met their burden . . .”</p> <p><i>See e.g.</i> Joint Opening Brief of Center for Accessible Technology,</p>	<p>Yes</p> <p>Yes</p>

support of their request for an extraordinary form of relief;	Consumer Protection and Safety Division, Division of Ratepayer Advocate and The Utility Reform Network in Application 09-08-020 (Joint Opening Brief), filed on March 3, 2011, at 5-10; <i>see also</i> CforAT/TURN Joint Comments on the Proposed and Alternate Decisions (Comments on PD/AD), filed on November 5, 2012 at 1, fn. 5, providing extensive citations to the record demonstrating consumer advocates ongoing arguments that Applicants failed to justify the relief they were seeking.	
- The Final Decision agrees with CforAT/DisabRA that the applicants failed to demonstrate that existing ratemaking mechanisms in place at the Commission were inadequate to address concerns regarding costs of wildfires;	Final Decision at 18 (Findings Of Fact 5): "SDG&E admitted that other ratemaking mechanisms are available under which SDG&E may seek recovery of uninsured wildfire costs from ratepayers." <i>See e.g.</i> Joint Opening Brief at 8-10; <i>see also</i> Comments on PD/AD at 2; DisabRA Protest to Amended Application, filed on September 8, 2012, at 3-4; Attachment to March 2012 Ex Parte Notice.	Yes
- The Final Decision agrees with CforAT/DisabRA that the proposed WEBA would compromise public safety;	Final Decision at 18 (Findings Of Fact 4): "The amended application does not create incentives to reduce the risk of wildfires." <i>See e.g.</i> Joint Opening Brief at 18-19; Joint Reply Brief at 9-10; Disability Rights Advocates' Protest to the initial Application (DisabRA Protest), filed on October 5, 2009 at 3-4; Attachment to March 2012 Ex Parte Notice.	Yes
- The Final Decision agrees with CforAT/DisabRA that the proposed WEBA would create unlimited financial		

<p>risk for ratepayers, including risk of being asked to pay for unreasonable expenses;</p> <p>- The Final Decision agrees with CforAT/DisabRA that existing mechanisms allow Applicants to seek recovery of reasonable unanticipated costs incurred due to the 2007 wildfires.</p>	<p>Final Decision at 18 (Findings Of Fact 3): “The amended application continues to provide for unlimited potential for uninsured wildfire costs to ratepayers.”</p> <p><i>See e.g.</i> Joint Opening Brief at 10-18; Joint Reply Brief at 3-5; DisabRA Protest at 1-3 (noting particular financial risks for disabled ratepayers); DisabRA Protest to Amended Application at 3-7; Attachment to March 2012 Ex Parte Notice.</p> <p>Final Decision at 19 (Ordering Paragraph 3), allowing future application for wildfire costs recorded in WEMA subject to reasonableness review.</p> <p><i>See e.g.</i> Joint Reply Brief at 10-11; March 2012 Ex Parte Notice and Attachment.</p>	<p>Yes</p> <p>Yes</p>
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

Claimant		CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?	Yes	Correct
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Correct
<p>c. If so, provide name of other parties:</p> <p>ORA, CPSD (now SED) and TURN all took similar positions based on similar arguments to CforAT/DisabRA. Other parties, including the Mussey Grade Road Alliance, counsel for Ruth Henricks, and eventually counsel for the 2007 fire plaintiffs sought the same overall outcome, though with a focus on different arguments. There was also substantial overlap on certain issues between the consumer advocates’ positions and the positions taken by the telecommunications providers in</p>		Correct

this proceeding.	
<p>d. Claimant’s description of how it coordinated with ORA and other parties to avoid duplication or how claimant’s participation supplemented, complemented, or contributed to that of another party:</p> <p>CforAT/DisabRA coordinated closely with ORA, CPSD and TURN, often preparing joint filings, participating in joint ex parte meetings, and otherwise participating jointly to avoid duplication of effort, as seen by the way in which the final decision references the joint contribution of what it refers to as “Consumer Advocates.” In addition, the Consumer Advocates coordinated with MGRA and other parties taking similar positions on issues where appropriate.</p> <p>In addition to the effective work with other consumer groups, there was no duplication or inefficiency between the two groups representing the disability community. When CforAT sought party status, it requested to adopt DisabRA’s prior filings as its own so that it would not duplicate the work previously contributed by DisabRA. DisabRA ceased to participate as an active party when CforAT obtained party status.</p>	<p>CforAT and DisabRA’s time records affirm that it coordinated efforts with other consumer advocacy groups to work efficiently and avoid unnecessary duplication of effort.</p>

PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§§ 1801 & 1806):

a. Claimant’s explanation as to how the cost of Claimant’s participation bore a reasonable relationship with benefits realized through claimant’s participation	CPUC Verified
<p>While it is difficult to assign a dollar figure to the results obtained by CforAT/DisabRA (in conjunction with the other consumer advocates), the final decision is clear in its rejection of the risk presented by the application that unlimited uninsured wildfire costs would be passed on to ratepayers and in its efforts to ensure that any wildfire costs included in rates must be reasonable. In addition, the final decision is clear that the outcome supported by CforAT/DisabRA better promotes public safety than the Applicants’ proposal. The value of such protections is substantially greater, both in terms of dollars and intangible benefits, than the cost of CforAT/DisabRA’s participation.</p>	<p>We agree with the claimant that it is difficult here to assign a specific dollar value to its participation, because the application dealt with a cost recovery mechanism rather than specific dollar figures. If the Applicant’s request had been approved, ratepayers would have been at risk for unlimited costs stemming from</p>

	<p>wildfire related claims, which could total billions of dollars. Decision 12-12-029 declined to approve the Application, determining that the utilities had not met their burden of proving the reasonableness of their request. Decision 12-12-029 declined to place the risk on ratepayers through the WEBA mechanism. The cost of CforAT/DisabRA's participation far outweighs the benefits to ratepayers, when compared to the potential exposure ratepayers would have faced had the WEBA mechanism been authorized.</p>
<p>b. Reasonableness of Hours Claimed.</p> <p>The hours expended by CforAT/DisabRA were reasonable given the procedural complexities that emerged in this proceeding. Ultimately, the proceeding included responses to an initial application and a revised application, wrangling over an Order to Show Cause and the procedural schedule, extensive settlement efforts, questions regarding a potential second phase of the proceeding, evidentiary hearings, public participation hearings, briefing, comments on a proposed decision and an alternate proposed decision, and extensive ex parte activity. Due to the procedural evolution and hotly contested nature of this proceeding and the importance of the issues raised, it was reasonable for CforAT/DisabRA to engage in all of these issues, many of which were not anticipated when NOIs were submitted.</p>	<p>After the disallowances and adjustments made to this claim, the remaining hours and costs are reasonable and worthy of compensation.</p>

c. Allocation of Hours by Issue

In both DisabRA's NOI and in CforAT's NOI, disability advocates noted that the issues they would focus on were the impacts that the Application would have on affordability and public safety. These issues, in fact, were key components of CforAT/DisabRA's opposition to the application. However, the procedural complexities of the proceeding make clear allocation of hours by issues difficult, since the substantial majority of work involved multiple issues; for example, virtually every filing and every strategy session included issues of affordability and public safety as well as other more procedural concerns (such as allocation of the burden of proof). In addition, at the direction of the Commission, substantial time and effort was spent by the parties on settlement talks in which the parties tried to reach a resolution that surrounded all the issues raised in the application. Finally, in addition to procedural concerns that were part of a review on the merits of the application, such as the focus on the burden of proof, the purely procedural work on this proceeding was greater than is typical due to extensive law and motion practice, unusual procedural developments such as an Order to Show Cause, a stay put in place by the Assigned Commissioner, and the consumer advocates' motion to lift the stay).

Notwithstanding the difficulty of separating hours worked by issue, CforAT/DisabRA has identified the following categories to describe their work on the merits of this proceeding: Affordability, Public Safety, Insurance, Liability, Settlement, and Procedural Issues/General Participation. A very substantial portion of the time entries include a combination of issues, and have been designated as "Mix." To the extent that these mixed entries can be allocated proportionally to the different issue areas, CforAT/DisabRA would designate the overall breakdown as follows:

Affordability: 37%
 Public Safety: 37 %
 Insurance: 5%
 Procedural Issues: 20 %

"Procedural Issues" within the designation of "Mix" focus on merits-oriented items such as burden of proof. A small amount of expert time is recorded for Dmitri Belser, Executive Director of CforAT, who provided testimony regarding the potential impact of WEBA on the disability community. His time spent preparing testimony is also designated "Mix," and it includes approximately equal time on affordability and on public safety. This was taken into consideration when estimating the overall breakdown into sub-issues for time designated "Mix."

Disability Rights Advocates/ Center for Accessible Technology has properly allocated its time by major issue as required by Rule 17.4.³

³ See D.98-04-059 and D.85-08-012.

Overall, between CforAT and DisabRA, the time entries recorded can be broken down by issue as follows:

Mix:

DisabRA: 15%

CforAT: 65%

Affordability:

DisabRA: No separate entries but key component of “Mix”

CforAT: One separate entry (1% of time), and key component of “Mix.”

Public Safety:

No separate entries, but key component of “Mix.”

Insurance:

DisabRA: 3% of separate entries, plus component of “Mix,” particularly during the earliest portion of the proceeding

CforAT: No separate entries, but component of “Mix.”

Procedural Issues/GP:

DisabRA: 34%, plus component of “Mix.”

CforAT: 34%, plus component of “Mix.”

Liability:

DisabRA: 2%

CforAT: No separate entries

Settlement:

DisabRA: 46%

CforAT: One entry for insignificant time.

Time spent on compensation issues is recorded separately and submitted at half the standard hourly rate, in keeping with Commission practice.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY/EXPERT FEES								
Item	Year	Hours	Rate \$	Rate Rationale	Total \$	Hours	Rate \$	Total \$
K. Gilbride	2009	5.5	160	D.10-04-024	880	5.5	160	880

M. Kasnitz	2009	4.4	420	D.09-07-017	1,848	4.4	420	1,848
K. Gilbride	2010	86.0	200	D.10-07-013	17,200	64.2	200	12,840
M. Kasnitz	2010	23.7	420	D.10-07-013	9,954	21.85	420	9,177
R. Williford	2011	15.5	160	D.13-04-008	2,480	15.5	160	2,480
K. Gilbride	2011	20.0	205	D.12-03-051	4,100	19.0	210	3,990
M. Kasnitz ⁴	2011	14.6	420	D.11-10-012	6,132	14.6	420	6,132
M. Kasnitz ⁵	2011	24.5	420	D.11-10-012	10,290	22.7 ⁶	420	9,534
D. Belser	2011	7.0	225	D.13-02-014	1,575	7.0	225	1,575
M. Kasnitz	2012	125.5	445	See Comment 6, below.	55,847.50	122.9	430	52,847
Subtotal: \$110,306.50						Subtotal: \$101,303		
OTHER FEES (Paralegal)								
Item	Year	Hours	Rate \$	Rate Rationale	Total \$	Hours	Rate \$	Total \$
Paralegal	2009	1.4	110	D.09-07-017	154	.2	110	22
Paralegal	2010	4.2	110	D.10-07-013	462	.8	110	88
Subtotal: \$616.00						Subtotal: \$110.00		
INTERVENOR COMPENSATION CLAIM PREPARATION**								
Item	Year	Hours	Rate \$	Rate Rationale	Total \$	Hours	Rate \$	Total \$
K. Gilbride	2010	2.1	100	½ D.10-07-013 rate	210	2.1	100	210
M. Kasnitz	2010	1.5	210	½ D.10-07-013 rate	315	1.5	210	315
Paralegal	2010	.8	55	½ D.10-07-013 rate	44	.8	55	44
M.	2011	1.9	210	½ D.11-10-012	399	1.9	210	399

⁴ Kasnitz appeared for DisabRA.

⁵ Kasnitz appeared for CforAT.

⁶ Rounded to the nearest .1 hr. increment.

Kasnitz				rate				
M. Kasnitz	2013	11.9	222.50	½ rate adopted here	2,647.75	6.5	220	1,430
Subtotal: \$3,615.75						Subtotal: \$2,398.00		
COSTS								
Item		Detail		Amount \$		Amount \$		
Postage		DisabRA’s costs for mailing hard copies of service documents to ALJ and Assigned Commissioner.		16.24		16.24		
Photocopying		DisabRA’s costs include in-house printing and copying costs for documents that were relevant to issues of concern for its constituency.		104.00		104.00		
Postage		CforAT’s costs for mailing hard copies of service documents to the ALJ and Assigned Commissioner.		8.78		8.78		
Travel		Round trip BART fare to attend activities taking place at the Commission, including three days of hearing, an all-party meeting, and multiple ex parte meetings. Details regarding the dates of each trip can be provided upon request.		73.00		-0-		
Subtotal: \$202.02						Subtotal: \$129.02		
TOTAL REQUEST: \$114,740.27						TOTAL AWARD: \$103,940 ⁷		
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Approved travel and reasonable claim preparation time compensated at ½ of preparer’s normal hourly rate.</p>								

⁷ Rounded to nearest dollar amount.

Attorney	Date Admitted to CA BAR	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Melissa Kasnitz	Dec 1992	162679	No; Please note from January 1, 1993 through January 25, 1995 and January 1, 1996 through February 19, 1997 Kasnitz was not an active member of the California Bar
Rebecca Williford	June 2010	269977	No
Karla Gilbride	July 2009	264118	No

C. Additional Comments on Part III:

Claimant's Comments
<p><u>CforAT's Justification for M. Kasnitz's 2012 and 2013 Rates-</u></p> <p>At this time, multiple compensation requests including time expended by Melissa Kasnitz in 2012 are pending, but no 2012 rate has been set. As set forth in CforAT's pending compensation request in I.11-06-009, which was filed after Resolution ALJ-281 addressing intervenor rates for 2012 was issued, CforAT is seeking a rate of \$445 per hour for Kasnitz in 2012. This includes the COLA provided in ALJ-281, which would increase Kasnitz's rate from \$420 to \$430. It also includes a request for an additional \$15 per hour based on increased experience and skill. The reasoning behind this request for an increase based on experience and skill was set out in full in CforAT's pending compensation request in A.08-12-021 and provided in detail again in the compensation request submitted in I.11-06-009.</p> <p>Kasnitz's work on this compensation request was performed in calendar year 2013. However, Kasnitz is seeking compensation for this time at ½ of her hourly rate for 2012. Kasnitz reserves the right to revisit an appropriate rate for 2013 in future filings.</p>
CPUC Comments
See Part III-Section D for 2012-2013 rate adoptions

D. CPUC Adoptions, Disallowances and Adjustments:

Adoptions	
2012 hourly rate for M. Kasnitz	After reviewing CforAT's comments above, the Commission awards Kasnitz a rate of \$430 per hour for work completed in 2012. Kasnitz has 18 years of experience as an attorney, and has participated in many Commission proceedings. The rate of \$430 per hour is reasonable given Kasnitz's years of experience. In addition, the rate of \$430 takes into account the 2.2% Cost-of-Living Adjustment adopted in Resolution ALJ-281.
2013 hourly	Abiding by Resolution ALJ-287, 2013 hourly rates have been raised to reflect the

rate for M. Kasnitz	2.0% Cost-of-Living Adjustment adopted by the resolution. Here, Kasnitz's 2013 full hourly rate would be set at \$440 per hour. However, since the only work Kasnitz performed in 2013 was the preparation of the Intervenor Compensation Claim, her half-time hourly rate is reflected as \$220 per hour.
Disallowances	
Disallowances for clerical tasks	<p>We disallow time spent "finalizing, filing and serving motion for party status, finalizing and serving testimony, finalizing brief, "as non-compensable clerical tasks subsumed in the fees paid to attorneys.</p> <p>Disallowances: (2009) Paralegal 1.2 hrs. (2010) Paralegal 3.4 hrs. (2011) Kasnitz- 1.0 hr. (2012) Kasnitz- 0.3 hr.</p>
2010 hrs. for K. Gilbride	<p>CforAT requests 4.2 hrs. of compensation for Gilbride's attendance at a meet and confer session on 2/11/10, and internal update meetings that followed. We disallow 1 hr. of this time to reflect the same amount of compensation requested by other intervenors in attendance at the same meeting.</p> <p>CforAT requests 2.3 hrs. of compensation for Gilbride to "draft a motion for continuance of prehearing conference". The motion was a total of two pages in length. We approve 1.3 hrs for this work and disallow the remaining 1 hr. as excessive given the scope of the work.</p>
2011 hrs. for K. Gilbride	<p>CforAT requests 2.2 hrs. of compensation for a 2/3/11 meeting with DisabRA, ORA, and utility representatives regarding the potential for settlement in the WEBA proceeding. We disallow .7 hrs. of this time to reflect the same amount of compensation requested by other intervenors in attendance at the same meeting.</p> <p>CforAT requests .80 hrs. of compensation for Gilbride's participation in a 3/29/11 conference call. We disallow .30 hrs. of this time to reflect the same amount of compensation requested by other intervenors in attendance at the same meeting.</p>
Clerical error	CforAT requests 20 hrs. for K. Gilbride's efforts on 4/12/10 "email exchange setting consumer call re: mediation". This is an obvious clerical error. We correct the error by approving .20 hrs. for this task and disallowing the remaining 19.8 hrs.
2011 hrs. for M. Kasnitz	<p>CforAT requests 1 hr. of compensation for Kasnitz on 10/17/11 to "draft a notice of an exparte meeting". The requested time is excessive given the scope of the work. In reaching our determination, we note that other intervenors, whose attorneys have less than half the experience that Kasnitz has practicing before the Commission, were able to complete this same work in .25 hrs. We approve this amount of time for Kasnitz's work here and disallow the remaining .75 hrs. as excessive.</p> <p>We disallow .1 hrs. for Kasnitz on 12/6/11 for "Email to N. Sher (CPSD)" as this effort was compensated in the previous line of her time records.</p>
2012 hrs. for	CforAT requests 6.3 hrs. of compensation for Kasnitz for her attendance at a

M. Kasnitz	<p>hearing on 1/11/12. We approve all but .60 hrs. of this time, adjusting the hours to reflect the same amount of compensation requested by other intervenors in attendance at the same hearing.</p> <p>We reduce Kasnitz's requested hours for her attendance at the 1/12/12 hearing by 1.0 hrs. and her attendance at the 1/13/12 hearing by .5 hrs. for the same reason outlined above.</p> <p>We disallow .15 hrs. of Kasnitz's time on 10/17/12 for her participation in a teleconference with N. Suetake from TURN re: coordination on comments on PD & AD. The adjusted time reflects the same amount of compensation requested by TURN for the teleconference.</p>
Travel Expenses	CforAT requests reimbursement of \$73.00 for round trip BART fare to attend activities taking place at the Commission, including three days of hearing, an all-party meeting, and multiple ex parte meetings. We disallow this expense was incurred during "routine" commuting and is not compensable. <i>See</i> D.10-11-032.
Time spent on NOI and compensation matters	CforAT requests a total of 18.2 hrs for all participants involved in NOI and compensation matters. We find this request to be excessive given the scope of the work. We approve 12.8 hrs. for these tasks and disallow the remaining hours. To achieve this allotment, we reduce Kasnitz's 2013 hours for this task by 5.4 hrs. The adjusted hours satisfies our expectation of reasonableness, and is similar to the amount of time requested by other intervenors in this proceeding with participation similar to the claimants.

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived?	Yes

FINDINGS OF FACT

1. Center for Accessible Technology has made a substantial contribution to Decision 12-12-029.
2. The requested hourly rates for Center for Accessible Technology's representatives, adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed hours and costs, adjusted herein, are reasonable and commensurate with the work performed.

4. The total of reasonable contribution is \$103,940.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Center for Accessible Technology is awarded \$103,940.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company, Southern California Edison Company, Southern California Gas Company and Pacific Gas and Electric Company shall pay Center for Accessible Technology their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2010 calendar year, reflecting the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15,⁸ beginning May 5, 2013, the 75th day after the filing of Claimant's request and continuing until full payment is made.
3. The comment period for today's decision is waived.
4. This decision is effective today.

Dated _____, at San Francisco, California.

⁸ See Resolution ALJ-294.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision? No
Contribution Decision:	D1212029	
Proceeding:	A0908020	
Author:	ALJ Maribeth A. Bushey	
Payees:	San Diego Gas & Electric Company, Southern California Edison Company, Southern California Gas Company and Pacific Gas and Electric Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Center for Accessible Technology (CforAT) for itself and its predecessor, Disability Rights Advocates (DisabRA)	2/19/2013	\$114,740.27	\$103,940	No	Miscalculation; adjusted hourly rates; disallowance of travel related expenses incurred during “routine” commuting; disallowance of clerical work; excessive hours;

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Karla	Gilbride	Attorney	DisabRA	\$160	2009	\$160
Karla	Gilbride	Attorney	DisabRA	\$200	2010	\$200
Karla	Gilbride	Attorney	DisabRA	\$205	2011	\$210
Rebecca	Williford	Attorney	DisabRA	\$160	2011	\$160
Melissa	Kasnitz	Attorney	DisabRA	\$420	2009	\$420
Melissa	Kasnitz	Attorney	DisabRA	\$420	2010	\$420
Melissa	Kasnitz	Attorney	DisabRA	\$420	2011	\$420
Melissa	Kasnitz	Attorney	DisabRA	\$445	2012	\$430
Melissa	Kasnitz	Attorney	DisabRA	\$445	2013	\$440
Belser	Dmitri	Expert	CforAT	\$225	2011	\$225
Paralegals			DisabRA	\$110	2009-2010	\$110

(END OF APPENDIX)